



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

Ohio EPA JUL 11 19
Entered Directors Journal

July 11, 2019

Re: Emerald BioEnergy, LLC
Director's Authorization
Approval
NPDES
Morrow County
4IN00204

Mr. Logan Randles
Emerald BioEnergy, LLC
P.O. Box 249
Delaware, OH 43015

Subject: Class B Biosolids Beneficial Use Site Authorization

[Handwritten signature: Jennifer Bossler dated 7-11-19]

Dear Mr. Randles:

Ohio EPA received a request from Renergy, Inc. on behalf of Emerald BioEnergy to include the following sites as part of the biosolids management program:

<u>Ohio EPA Site #</u>	<u>Field ID</u>	<u>County</u>	<u>Township</u>
21-00215	DES-01-09	Delaware	Kingston
21-00216	DES-01-10	Delaware	Kingston

Ohio EPA Site 21-00215 (Field ID DES-01-09)

This 52-acre beneficial use site, owned by [REDACTED] and [REDACTED] and operated by [REDACTED] is located on the west side of Blue Church Road, approximately 0.4 miles south of State Route 521. The beneficial use site's soil unit consists of Bennington silt loam. Soil analytical results indicate an average pH of 5.3 S.U. and phosphorus less than 15 parts per million (ppm) Mehlich 3 extraction.

Ohio EPA Site 21-00216 (Field ID DES-01-10)

This 47-acre beneficial use site, owned by [REDACTED] and [REDACTED] and operated by [REDACTED] is located on the east side of Blue Church Road, approximately 0.4 miles south of State Route 521. The beneficial use site's soil units consist of Bennington silt loam, Cardington silt loam, and Sloan silt loam. Soil analytical results indicate an average pH of 5.4 S.U. and phosphorus less than 9 ppm Mehlich 3 extraction.

A review of the application and sites was conducted by Ohio EPA. The application indicates that the requisite notifications and consents have been obtained. The review considered soil and landscape characteristics, isolation distances from residences, and the proximity to waterways and wells.

After a review of the application and Ohio Administrative Code (OAC) 3745-40-06, Ohio EPA hereby authorizes these sites to be included as part of the Emerald BioEnergy Class B biosolids management program. This authorization is subject to conditions contained in the Emerald BioEnergy NPDES permit and OAC 3745-40. Highlights of these conditions are outlined below. Conditions contained in the NPDES permit and OAC 3745-40 may differ. In such cases, the more restrictive conditions from either the NPDES permit or OAC 3745-40 shall govern.

Specific Conditions

1. All biosolids beneficially used at these sites shall be injected beneath the surface of the ground or immediately incorporated into the soil. Biosolids that remain on the surface shall be incorporated within six hours.
2. Prior to beneficial use, the agronomic rate shall be determined in accordance with OAC 3745-40-08(A)(2) and include all sources of nitrogen and phosphate, such as commercial fertilizer or manure.
3. Biosolids shall not be applied within the isolation distances listed in OAC 3745-40-08(C).
4. The soil analytical results indicate pH values less than 5.5 S.U. OAC 3745-40-08(D)(3) requires a minimum pH of 5.5 for the beneficial use of Class B biosolids. The pH of these sites shall be raised to a minimum of 5.5 through the addition of a liming material before or at the time of the beneficial use of biosolids.
5. Biosolids application records shall be maintained in accordance with OAC 3745-40-09(C).
6. Natural Resources Conservation Practice (NRCS) Practice Standard for Nutrient Management - Code 590 recommends the following:
 - For nitrogen application via biosolids during summer and fall periods: When a grass or legume cover crop is growing or established immediately after nutrient application, biosolids can be applied prior to October 1 at the recommended nitrogen rate for the next non-legume crop or the nitrogen removal rate for the next legume (maximum 150 lbs/ac) crop.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio," which the Commission, in its discretion, may reduce if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th Floor
Columbus, OH 43215

If you have questions, please refer to Ohio EPA's Sewage Sludge Rules in OAC 3745-40 (<http://www.epa.ohio.gov/dsw/sludge/biosolid.aspx>), or contact Betsy VanWormer at (614) 644-2150 or via email at betsy.vanwormer@epa.ohio.gov.

Sincerely,



Laurie A. Stevenson
Director

Enclosure

July 11, 2019

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Cc: Delaware County General Health District
Delaware County Soil and Water Conservation District
Kingston Township Trustees

Exemption 6

Ec: Logan Randles, Renergy
Cari Oberfield, Renergy

Exemption 6

Betsy VanWormer, Ohio EPA- DSW/CO
Erin Sherer, Ohio EPA-DSW/CO
Isaac A. Robinson, III, Chief, Ohio EPA/CDO



Class B Biosolids
Site Authorization

Emerald BioEnergy
NPDES #4IN00204

Ohio EPA Site	Field ID
21-00215	DES-01-09
21-00216	DES-01-10

